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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	<input checked="" type="checkbox"/> PROVISIONAL ORDER
	:	OF DISCIPLINE
	:	
TODD J.L. LESKO, RN	:	<input checked="" type="checkbox"/> FINAL ORDER
License # 26NR16245900	:	OF DISCIPLINE
	:	(Finalized by default
TO PRACTICE NURSING IN THE	:	on <u>March 24, 2016</u> )
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

### FINDINGS OF FACT

1. Todd J.L. Lesko ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto. (Exhibit A).

2. In or around May 2015, in Pennsylvania, Respondent was arrested and charged with Possession of Child Pornography, Dissemination of Child Pornography, and Criminal Use of a Communication Facility. (Exhibit B).

3. Respondent also holds a license to practice as a Registered Nurse and a certification as a Nurse Practitioner in the State of Pennsylvania. By Order filed May 8, 2015, the Pennsylvania Board of Nursing imposed an immediate temporary suspension of Respondent's licenses to practice in that state based upon the criminal charges and a finding that Respondent was an immediate and clear danger to the public health and safety. The suspension was continued pursuant to Order filed June 4, 2015. (Exhibit C).

4. The Board received no notification from Respondent that he was the subject of a disciplinary action by another state board.

### CONCLUSIONS OF LAW

Respondent has had his authority to engage in nursing suspended by another state for reasons consistent with New

Jersey's grounds for discipline. Pursuant to N.J.S.A. 45:1-21(g), Respondent's New Jersey license is thus subject to discipline as well.

Additionally, pursuant to N.J.A.C. 13:37-5.9, a licensee shall immediately notify the Board if he is the subject of any disciplinary action or order by any state board. Respondent failed to self-report the Pennsylvania board action to the New Jersey Board. Accordingly, the Board finds Respondent has failed to comply with a regulation administered by the Board, and is thus also subject to discipline within the intendment of N.J.S.A. 45:1-21(h).

ACCORDINGLY, IT IS on this 12<sup>th</sup> day of January, ~~2015~~, 2016,  
ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in  
this matter:

1. Respondent's license to practice nursing is suspended until further Board Order and until Respondent's licenses are reinstated in Pennsylvania. Prior to any reinstatement in New Jersey, Respondent shall appear before the Board and demonstrate fitness, competency, and rehabilitation, to the satisfaction of the Board.

2. Respondent shall refrain from practicing as a nurse and shall not represent himself as a Registered Professional Nurse until such time as his license is reinstated. Any

practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

3. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to State Board of Nursing, Attention: Leslie Burgos, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

4. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.

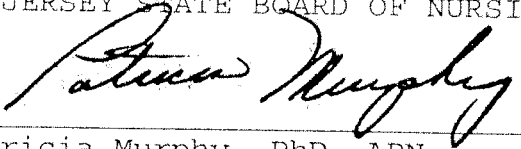
5. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

6. In the event that the Board receives no written submission from Respondent within 30 days following filing of this Provisional Order of Discipline, without further Board review, the Provisional Order of Discipline shall automatically become the Final Order of Discipline. The box for Final Order of Discipline shall be checked, the Final Order of Discipline shall be filed, and copies shall be mailed to Respondent. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

7. The Board reserves the right to impose further discipline at the time of any petition for reinstatement based upon the disposition of the criminal case or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:

  
Patricia Murphy, PhD, APN  
Board President